



30 MAR 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Flynn Barrison  
Darby & Darby, P.C.  
P.O. Box 5257  
New York, NY 10150-5257

In re Application of  
GORDON, et al.  
Application No.: 10/531,097  
PCT No.: PCT/IL03/00809  
Int. Filing Date: 08 October 2003  
Priority Date: 08 October 2002  
Attorney Docket No.: 06727/021248-US0  
For: EVACUATION SYSTEMS AND METHODS

DECISION ON PETITION

UNDER 37 CFR 1.181

This decision is in response to applicant's "Request For Corrected Filing Receipt And Notice of Acceptance" filed in the United States Patent and Trademark Office (USPTO) on 15 December 2005 and again by facsimile on 27 March 2006. Applicant requests that the USPTO correct the 371(c) date for the above captioned application to 04 August 2005. The request is being treated as a petition under 37 CFR 1.181. No petition fee is required.

**BACKGROUND**

On 23 November 2005, applicant was mailed a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" (Form PCT/DO/EO/903) and filing receipt indicating a date of completion of all 35 U.S.C. 371 requirements of 01 September 2005.

On 15 December 2005, applicant filed the petition considered herein.

**DISCUSSION**

Applicant has provided a legible copy of the receipt postcard which shows a USPTO date stamp, "JC01 Rec'd PCT/PTO 04 AUG 2005" and clearly identifies in part: "Combined Declaration and Power of Attorney (4 pages)" as well as listing the inventor, application serial number, title of invention and attorney docket number. The evidence is sufficient to establish that the last of the 35 U.S.C. 371 requirements was received in the USPTO on 04 August 2005. As such, it is proper to **GRANT** applicant's petition at this time.

The application will be given an international filing date of 08 October 2003 under 35 U.S.C. 363 and a date of **04 August 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

The "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" (Form PCT/DO/EO/903) mailed 23 November 2005 is hereby **VACATED**.

This application is being returned to the United States Designated/Elected Office (US/DO/EO) for further processing in accordance with this decision, namely the issuance of a "Notification of Acceptance of Application Under 35 U.S.C. 371 and 37 CFR 1.495" (Form PCT/DO/EO/903) and a corrected filing receipt indicating the correct 371 date as detailed above.

A handwritten signature in black ink, appearing to read 'Derek A. Putonen', is positioned above the printed name.

Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294  
Fax: (571) 273-0459